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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,535	02/05/2002	Tammy Wheat	P15317-PUIA	2769

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Sidney L. Weatherford
6300 Legacy Drive, MS/EVW2-C-2
Plano, TX 75024

EXAMINER


AGWUMEZIE, CHARLES C

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/068,535	Applicant(s) WHEAT, TAMMY	
	Examiner Charlie C. Agwumezie	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/20/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim **1, 13 and 14,** are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart U.S. Patent 6,759,960.
2. As per **claim 1,** Stewart discloses a method for facilitating information exchange between a telecommunication network and an information service provider (fig. 1), comprising the steps of:

Receiving real-time information from said telecommunication network at a Business-to-Business (B2B) engine (see fig. 1, col. 2, lines 56-65), wherein said B2B Engine is interconnected to said telecommunication network and said information service provider (fig 1, col. 3 lines 20-30);

Processing, within said B2B engine, the received realtime information (col. 3, lines 25-30); and providing, by said B2B engine, said realtime information to said information service provider (col. 3, lines 34-35).

3. As per **claim 13**, Stewart discloses a Business-to-Business (B2B) engine for facilitating information interexchange between a telecommunications network and an information service provider, said B2B engine comprising:

a first interface module for transceiving information with said telecommunications network (fig. 1);

a second interface module for transceiving information with said information service provider (fig. 1);

a processor connected to said first and said second interface modules (fig. 1A); and at least one application module interconnected to said processor.

4. As per **claim 14**, Stewart discloses the 2B engine, wherein said at least one application module interconnected to said processor is a restaurant module and further comprises:

a data collection module for receiving realtime information from said telecommunications network at said B2B engine (Fig. 1A and 3, col. 7, lines 11-13);

an operations module for processing the received realtime information (col. 7, lines 35-40); and

said second interface is capable of providing said realtime information to said information service provider (col. 2, lines 60-65).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart U.S. Patent 6,759,960 in view of DeLorme et al U.S. Patent 5,948,040.

6. As per **claim 2**, Stewart discloses a method wherein said realtime information is associated with a mobile station and at least one fixed station (fig. 1A) but failed to disclose a method further comprising the steps of:

receiving an information request from said mobile, wherein said request relates to said at least one fixed station;

correlating the location of said at least one fixed station with the current location of the mobile station;

station utilizing the current location of the said mobile station to calculate an estimated time of arrival (ETA) of said mobile station at the location of said at least one fixed station; and

communicating said ETA to said at least one fixed station.

DeLorme et al discloses a method further comprising the steps of:

receiving an information request from said mobile (fig. 5D, col. 50, lines 27-30), wherein said request relates to said at least one fixed station (fig. 5D, col. 50, line 29);

correlating the location of said at least one fixed station with the current location of the mobile station (col. 10, lines 36-58);

station utilizing the current location of the said mobile station to calculate an estimated time of arrival (ETA) of said mobile station at the location of said at least one fixed station (see fig. 1B-2, col. 22, lines 19-23; col. 50, lines 30-35); and

communicating said ETA to said at least one fixed station (fig. 1B-2, col. 10, lines 50-58).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate the ability to determine the earliest time of arrival as taught by DeLorme et al in order to ensure adequate preparation and reservation is ready upon related to said at least one fixed station near said mobile station's current location wherein said at least one fixed station is a restaurant and said query further includes a request for reservation (col. 7, lines 1-5, col. 9, line 65+).

7. As per claim 3 and 16, Stewart further discloses a method wherein said request includes a query for information related to said at least one fixed station near said mobile station's current location wherein said at least one fixed station is a restaurant and the said query further includes a request for a reservation (fig. 1A, col. 9, lines 65+).

8. As per claim 4 and 17, Stewart failed to explicitly disclose a method further comprising the steps of:

retrieving information, including said at least one fixed station location, wait-time for each retrieved fixed station information and a temporary reservation for said subscriber;

transmitting said information concerning said location, said wait-times and said temporary reservations to said station; and

receiving a confirmation from said mobile station of said temporary reservations

DeLorme et al discloses a method further comprising the steps of:

retrieving information (fig. 9B), including said at least one fixed station location (fig. 1B-3), wait-time for each retrieved fixed station information and a temporary reservation for said subscriber (fig. 1B-3);

transmitting said information concerning said location, said wait-times and said temporary reservations to said station (fig. 5D); and

receiving a confirmation from said mobile station of said temporary reservations (fig. 1B-3).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate the ability to convert temporary reservation to confirmed reservation as taught by DeLorme et al in order to ensure adequate preparation and reservation is ready upon the client arrival.

9. As per claim 5 and 18, Stewart failed to disclose the B2B engine, further comprising: logic means for converting said temporary reservation to a confirmed reservation.

DeLorme et al, discloses the B2B engine, further comprising: logic means for converting said temporary reservation to a confirmed reservation (fig. 3 and 5D, col. 67, lines 30-35).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate the ability to convert temporary reservation to confirmed reservation as taught by DeLorme et al in order to ensure adequate preparation and reservation is ready upon the client arrival.

10. As per claim 6 and 19, Stewart failed to explicitly disclose the B2B Engine, further comprising:

logic means for marking the time of said confirmation;

said transceiver means for sending an initial ETA corresponding to said confirmation entry to a reservation application at said fixed station; and

logic means for said restaurant module to periodically calculate and send said mobile station ETA to said reservation application until arrival of said mobile station at said at least one fixed station.

DeLorme et al discloses the B2B Engine, further comprising:

logic means for marking the time of said confirmation (fig. 1B-2);

said transceiver means for sending an initial ETA corresponding to said confirmation entry to a reservation application at said fixed station (fig. 7B); and

logic means for said restaurant module to periodically calculate and send said mobile station ETA to said reservation application until arrival of said mobile station at said at least one fixed station (col. 10, lines 50-60).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate the ability to

transmit ETA as taught by DeLorme et al in order to ensure adequate preparation and reservation is ready upon the client arrival.

11. As per claim 7 and 20, Stewart discloses the B2B engine, further comprising: receiver means for receiving a message from one of said mobile station and failed to disclose said reservation application for automatically requesting said periodic updates of the ETA of said mobile station; and

logic means for utilizing said updates to modify said reservation in said reservation application.

DeLorme et al discloses the B2B engine, further comprising: receiver means for receiving a message from one of said mobile station (fig. 1B-2) and said

reservation application for automatically requesting said periodic updates of the ETA of said mobile station (fig. 7B); and

logic means for utilizing said updates to modify said reservation in said reservation application (col. 10, lines 50-55).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate the ability to determine the earliest time of arrival as taught by DeLorme et al in order to be able to modify the reservation according to the client's arrival time.

12. As per claim 10 and 23, Stewart failed to explicitly disclose a method wherein said fixed station is a medical facility.

DeLorme et al discloses a method wherein said fixed station is a medical facility (col. 76, lines 40-48).

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Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate a medical facility as taught by DeLorme et al in order to aid disabled motorist to receive needed medical attention.

13. As per claim 11 and 24, Stewart further failed to disclose a method wherein said fixed station is a repair facility.

DeLorme et al discloses a method wherein said fixed station is a repair facility (col. 76, lines 40-48).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate a repair facility as taught by DeLorme et al in order to aid disabled motorist to make needed repairs.

14. As per claim 12 and 25, Stewart discloses a method wherein said B2B Engine is interconnected to said information service provider, and said telecommunication network wherein said telecommunications network comprises a wireless network and wireline network but failed to disclose a method wherein said B2B Engine is interconnected to internet.

DeLorme et al discloses a method wherein said B2B Engine is interconnected to said information service provider, the internet and said telecommunication network wherein said telecommunications network comprises a wireless network and wireline network (see abstract, col. 14, lines 45-50).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate internet

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connectivity as taught by DeLorme et al in order to make access through the internet available to users.

15. As per claim 15, Stewart discloses the B2B engine, wherein said realtime information is associated with a mobile station and at least one fixed station (fig. 1), further comprises:

transceiver means for receiving an information request from said mobile station (fig. 1 and 5B), wherein said request relates to said at least one fixed station (fig. 5B);

correlating means for correlating the location of said at least one fixed station with the current location of said mobile station Col. 7, lines 35-45). Stewart however failed to disclose a logic for station utilizing the current location of said mobile station to calculate an estimated time of arrival (ETA) of said mobile station at the location of said at least one fixed station; and

said transceiver means for communicating said ETA to said at least one fixed station.

DeLorme et al discloses a logic for station utilizing the current location of said mobile station to calculate an estimated time of arrival (ETA) of said mobile station at the location of said at least one fixed station (see fig. 1B-2, col. 22, lines 19-23; col. 50, lines 30-35); and

said transceiver means for communicating said ETA to said at least one fixed station (fig. 1B-2, col. 10, lines 50-58).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and incorporate the ability to

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determine the earliest time of arrival as taught by DeLorme et al in order to ensure adequate preparation and reservation is ready upon the client arrival.

Claims 8 and 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart U.S. Patent 6,759,960 in view of DeLorme et al U.S. Patent 5,948,040 as applied to claim 20 above, and further in view of Chern et al U.S. Patent 6,381,465.

16. As per **claim 9 and 22**, Stewart further discloses the B2B engine, wherein said restaurant module (fig 1A), interconnected to said B2B engine (fig. 1A), is capable of accessing a profile of said mobile to transmit specified information from said profile to said fixed station for reservation confirmation and for billing information (fig. 5B, col. 10, lines 4-7).

17. As per claim **8 and 21**, Both Stewart and DeLorme et al failed to explicitly disclose the B2B engine further comprising: means for notifying said mobile station of any changes in the status of said reservation.

Chern et al discloses the B2B engine further comprising: means for notifying said mobile station of any changes in the status of said reservation (fig. 12, col. 3, lines 42-48).

Accordingly, it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Stewart and DeLorme et al and incorporate the ability to notify the said mobile station of any changes in the status of

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said reservation as taught by Chern et al in order to ensure adequate preparation and reservation is ready upon the client arrival.

Conclusion

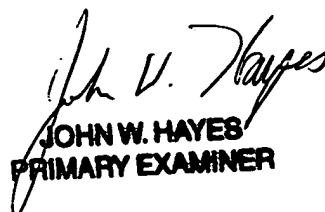
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references cited to LaBrie U.S. Patent Application Publication 2002/0047861 and Hollenberg U.S. Patent 6,091,956 are documents considered relevant to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Agwumezie whose number is (703) 305-0586. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305 – 9768. The fax phone number for the organization where the application or proceeding is assigned is (703) 305-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

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December 9, 2004


JOHN W. HAYES
PRIMARY EXAMINER